

USSN 10/613,370

Reply to Office Action dated May 17, 2005

Amendment B

REMARKS/ARGUMENTS

Claims 1-24 are currently pending in this application. Claims 1-14 and claims 21-24 are allowed. Claims 16, 17, 19 and 20 are objected to. Claims 15 and 18 are currently rejected under 35 U.S.C. 102(b). Applicants respectfully request reconsideration of this application in view of the above amendments and following remarks. No new matter has been added.

Drawings

The Examiner has not objected to the corrected drawings filed February 28, 2005.

Specification

The Examiner objected to the specification stating it fails to provide proper antecedent basis for the claimed subject matter and requests that applicants amend the phrase "torsioning means" further stating applicants have not provided a proper antecedent for this phrase in applicants' original disclosure.

After reviewing the language of claims 15 and 16 with the inventors, the term "torsioning" has been replaced with the original term "tensioning" since the term "tensioning" is believed to be more accurate for the purpose of describing the mechanical

USSN 10/613,370
Reply to Office Action dated May 17, 2005
Amendment B

movement and the invention of the applicants.

35 U.S.C. 102(b) Claim Rejections

Claims 15 and 18 are currently rejected under 35 U.S.C. 102(b), as being anticipated by the Archer U.S. Patent No. 5,622,007. Applicants respectfully traverse these rejections.

The Examiner has stated that Archer discloses a sliding door device comprising: a cable 72 having a first end attached to a door frame 40 during use; at least one torsioning means 52 torsioned by the cable during use; and an air piston 70 linked to the torsioning means providing controlled release of torsioning means controlling closure speed of the sliding door.

Applicants disagree with the Examiner's statement noting that Archer does not have a cable attached to a torsioning means but instead as stated at line 548 in Column 3:

"As door closure 50 opens, elongated tube 55 pulls cable 72 by means of connector 71 through fair lead 73."

Applicants further state that the Archer patent has a dampening method which is achieved through a "PULLING" action of a cable coming out of a piston. In applicants'

USSN 10/613,370
Reply to Office Action dated May 17, 2005
Amendment B

claimed invention, as disclosed in amended claim 15, the dampening method is achieved through a "PUSHING ACTION" of a solid rod (not a cable) PUSHING into the piston.

Applicants further point out that Archer's cable can also be attached to door frame 40 (note to the vertical portion of the door frame) to once again achieve a dampening action to the device. In contradistinction, in applicants' claimed invention, the cable is attached to the door frame horizontal portion of the door frame above the door also referred to as the door jamb) (see line 2 of amended claim 15) and is not used for the dampening action of the device but is directly connected to the torsioning means.

With regard to the Examiner's rejection of claim 18 based upon the Archer patent the Examiner states that the sliding door device of Archer may include a control valve (55, 60) in communication with the piston controlling the pressure within the piston as seen in Figure 5.

In response to the Examiner's rejection of claim 18, applicants state that in Archer's patent, items 55 and 60 (Figure 5) are not a control valve or a piston, but threaded cylinders that are used for adjustment in length.

Therefore, applicants respectfully submit that applicants' claimed invention, as now redefined in amended claims 15 and 18, is patentable and believed distinct from the Archer patent disclosure for all of the reasons set forth above. Further, applicants'

USSN 10/613,370
Reply to Office Action dated May 17, 2005
Amendment B

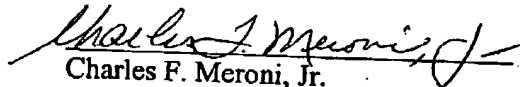
claimed invention is different in construction, different in manner of installation and different in mechanical design for all of the reasons stated above.

Turning to objected to claims 16, 17, 19 and 20, these claims have now been amended as a result of the amendments to claims 15 and 18 and are believed also to be patentable over Archer and the prior art for all of the reasons previously stated.

Applicants request that the Government fee of \$60.00 for applicants' one (1) month extension of time to file this Amendment B be charged to applicants' attorney's Deposit Account No. 502063.

Accordingly, applicants request that the rejection of amended claims be withdrawn, and that a Notice of Allowance be issued.

Respectfully submitted,


Charles F. Meroni, Jr.
Reg. No. 20,109

Dated: September 9, 2005.

MERONI & MERONI, P.C.
P.O. Box 309
Barrington, ILLINOIS 60011
Telephone: (847) 304-1500
Facsimile: (847) 382-5478
Email: meronilaw@ameritech.net